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ELECTRONICALLY FILED  
BY HAND AND BY EMAIL

March 14, 2007

The Honorable Vincent J. Poppiti  
Blank Rome LLP  
1201 Market Street, Suite 800  
Wilmington, DE 19801

**Re: LG.Philips LCD Co., Ltd. v. ViewSonic, C.A. No. 04-343 JJF**

Dear Special Master Poppiti:

I write to request that the Court re-enter a disagreement that was previewed during the teleconference on Monday, March 12, 2007. It involves a Tatung witness, Oliver Shih, who is Tatung's Rule 30(b)(6) designee for inducement of infringement of the patents-in-suit. He is currently scheduled for deposition on March 20-21, 2007.

During the March 12 teleconference, we discussed whether Tatung may ultimately argue that LPL must prove a nexus between Tatung's inducing conduct and Tatung's accused products. While LPL disagrees with that position as a matter of law, it must nonetheless be able to establish the nexus that Tatung will argue is required in this case. As the Court well knows, LPL has not yet determined which of Tatung's products infringe, but is in the process of doing so based on discovery that Tatung has finally agreed to provide. As a result, LPL cannot complete Mr. Shih's on March 20-21 because LPL will not have determined by then which Tatung products infringe. During the March 12 teleconference, we raised the possibility of postponing Mr. Shih's deposition or of bringing him back later to conclude it. Because Tatung had not yet taken a position on whether LPL must prove a nexus between Tatung's inducing conduct and Tatung's accused products, Your Honor asked the parties to confer.

Tatung's counsel has now informed LPL that it will, indeed, argue that LPL must prove a nexus between Tatung's inducing conduct and Tatung's accused products. (To be clear, LPL disagrees with that argument.) This issue involving Mr. Shih is, therefore, ripe for Your Honor's input.

Tatung has stated that LPL may depose Mr. Shih next week about every single display product that Tatung has sold since the patents issued, whether or not they are eventually accused of infringement. LPL's counsel has explained to Tatung that such a deposition is simply not


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feasible under the applicable time constraints and is not necessary. LPL is entitled to ask questions about Tatung's display products generally, to meet the standard that LPL believes to apply. LPL also should have an opportunity, however, to examine Tatung regarding accused products once Tatung has produced the documents it has finally agreed to produce. Yet, Tatung has refused to postpone Mr. Shih's deposition or to agree that to produce him again once LPL has been able to identify the specific accused products.

LPL respectfully requests the Court to address this issue during the teleconference this Friday (or sooner). Tatung's counsel also has requested an expedited hearing on this issue.

Respectfully submitted,



Richard D. Kirk (rk0922)

cc: Counsel as shown on the attached certificate

### **CERTIFICATE OF SERVICE**

The undersigned counsel certifies that, on March 14, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

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The undersigned counsel further certifies that copies of the foregoing document were sent by email to the above counsel on March 14, 2007, and will be sent by hand on March 14, 2007, and were sent by email on March 14, 2007, and will be sent by first class mail on March 14, 2007, to the following non-registered participants:

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